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**TESTIMONY ON SENATE BILL 2082 SD2
RELATING TO PUBLIC SAFETY**

by

Clayton A. Frank, Director
Department of Public Safety

House Committee on Public Safety and Military Affairs
Representative Cindy Evans, Chair
Representative Sharon E. Har, Vice chair

Thursday, March 13, 2008, 8:30 AM
State Capitol, Room 309

Representative Evans, Representative Har, and Members of the Committee:

The Department of Public Safety (Department) supports the intent of Senate Bill 2082, SD2, which requires the department to develop a plan by January 1, 2009, to return as many of the female prisoners as possible who have been sent to the mainland for incarceration.

There are several critical challenges facing the Department in attempting to comply with this measure. Among the most significant challenges is the lack of current and ongoing funding to return, house, provide appropriate programming, and proper transitional processes for the female prisoners in Hawaii. Equally important is the fact that the Department lacks the necessary bed space in our existing Hawaii facilities for such a large increase in this segment of the incarcerated population. There is also a lack of community-based housing options for these female prisoners.

Although the Department is involved with ongoing discussions and planning sessions with the Federal Detention Center (FDC) Honolulu regarding housing, programs, treatment, and transitional services options for female prisoners, the existing restrictions for state inmates housed in the FDC will severely reduce the number of female prisoners currently on the mainland who will be eligible for transfer to the FDC. The current FDC restrictions include the offenders' custody level, length of time remaining on sentence(s), and the level of medical care needed by some prisoners.

Currently, 68.50% of the 175 females housed in the mainland are not eligible for transfer to the FDC due to the level of medical care they require. The remaining 31.50% are medically eligible for transfer, but some have sentences longer than the FDC currently permits.

The Women's Community Correctional Center is not a viable transfer option for a large number of female prisoners such as this since its population is close to the maximum capacity most of the time. Therefore, in order to comply with this measure, the Department must look to available community-based options for the majority of the female prisoners, and there are not sufficient options currently available in the community.

In addition, there are currently approximately 6,067 female offenders on probation and approximately 360 female offenders on parole throughout the State. At any given time, hundreds of these offenders may have their parole or probation revoked and be ordered to return to the department's custody. This factor adds to the challenges faced by the Department in attempting to comply with this measure.

Finally, the Department would like to offer a minor technical amendment to clarify the intent of this measure:

“SECTION 2. The department of public safety shall develop a plan by January 1, 2009, to return as many of the female prisoners [~~who are residents of the State of Hawaii and~~] who have been sent to the mainland for incarceration as possible to the State of Hawaii by July 1, 2009.”

Thank you for the opportunity to testify on this important matter.



the
**Drug Policy
Forum**
of hawaii

March 13, 2008

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To: Representative Cindy Evans, Chair
Representative Sharon Har, Vice Chair
And Members of the Committee on Public Safety and Military Affairs

From: Jeanne Y. Ohta
Executive Director

Re: SB2082 SD2 Relating to Public Safety
Hearing: March 13, 2008, 8:30 a.m., Room 309

Position: Support

The Drug Policy Forum of Hawaii supports this measure which would provide funds for the Department of Public Safety to develop a plan to return as many female Hawaii prisoners currently in mainland prisons back to Hawaii by July 1, 2009.

We respectfully suggest that a minimum number of returnees be specified so that the department will be motivated to make every effort to find ways to return women to Hawaii.

The vast majority of women are convicted for non-violent drug or drug-related offenses. We believe that their needs would be better served by community-based treatment programs rather than incarceration. Community-based programs are less expensive than incarceration and provide an opportunity for offenders to address their pathways to crime and drug use. These programs also allow more successful transitions back into the community.

The Justice Policy Institute recently released a briefing paper, "Substance Abuse Treatment and Public Safety." The report finds that community-based treatment programs reduce incarceration rates, reduce incarceration costs, and improve public safety by reducing crime.

This plan will help establish much needed community beds for treatment; will help reduce recidivism; and will facilitate and improve family relationships. There are many unintended consequences of mainland incarceration.

Please end those harmful consequences by requiring the Department of Public Safety to return the women to Hawaii. Please pass this important measure.

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Dedicated to safe, responsible, and effective drug policies since 1993

FROM: Sumner Howard-President, GET, Inc.

TO: COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS
-Rep. Cindy Evans, Chair....Rep.Sharon E. Har, Vice chair

HEARING: On Thursday, March 13, 2008; 8:30AM ; Room #309

OF COPIES REQUIRED: Forty (40)

TESTIMONY: IN STRONG SUPPORT OF HOUSE BILL # 2082 SD2-
RELATING TO PUBLIC SAFETY-TO RETURN ALL FEMALE HAWAII
PRISONERS ON THE MAINLAND BACK TO OAHU BY JULY 1, 2009.

GOVERNMENT EFFICIENCY TEAMS, INC., known as "GET", fully supports SB #2082, SD#2.

May we mention that GET is a privately-funded, NONPOLITICAL, NONPROFIT organization of citizen volunteers who, since 1987, have been assisting local governments in Hawaii to become more efficient and effective.

We believe that the logic behind HS #2082 is excellent...for the following reasons:

1. The 170-plus female Hawaii prisoners on the mainland are over 50% Mothers;
2. A significant number of these females DO WANT TO COME HOME;
3. The Dept. of Public Safety reports that almost half of these women are classified at a security level of a) minimum or b) community level;
4. Most of these women are non-violent and pose no threat to Public Safety;
5. Placing these Mothers on the mainland completely destroys the positive effects of family visits for the Mother AND THE CHILD!!;
6. WE BELIEVE THESE WOMEN SHOULD BE HERE IN HAWAII where they can be in community programs and close to their children and other supporting family members and friends.

We urge this Committee to pass SB #2082 TODAY.

Respectfully submitted,

Sumner Howard- President

COMMUNITY ALLIANCE ON PRISONS

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COMMITTEE ON PUBLIC SAFETY & MILITARY AFFAIRS

Rep. Cindy Evans, Chair

Rep. Sharon Har, Vice Chair

Thursday, March 13, 2008

8:30 AM

Room 309

STRONG SUPPORT - SB 2082 SD2 with amendment – BRINGING OUR WOMEN HOME

Aloha Chair Evans, Vice Chair Har and Members of the Committee!

My name is Kat Brady and I am the Coordinator of Community Alliance on Prisons, a community initiative working on prison reform and criminal justice issues in Hawai`i for a decade. I respectfully offer our testimony always being mindful that Hawai`i has more than 6,000 people behind bars with more than 2,000 individuals serving their sentences abroad, thousands of miles away from their homes and their loved ones.

SB 2082 SD2 appropriates funds to the department of public safety to develop a plan by July 1, 2008, to return as many as possible of the female Hawaii prisoners incarcerated in mainland prisons back to Hawaii by July 1, 2009.

Community Alliance on Prisons strongly supports this legislation. The amendment we ask for is in Section 3. The existing language is "...develop a plan to return as many as possible of the female prisoners who are residents of the State of Hawaii..." We suggest instead: develop a plan to return the female prisoners who are classified as Community Custody and who are residents of the State of Hawaii...

The recent incident at Otter Creek where the warden's secretary allegedly smuggled a loaded 22 into the prison right past the security checkpoint only increases our concern for the 175 Hawai`i women living there.

Recent data from the Classification study show that more than 52% of the women held in Otter Creek are either minimum or community custody. Most of these women would be better served in community programs that supported their reentry and, where appropriate, reunification with their families was incorporated into the programming. The study data also show that 87% of our women incarcerated abroad are non-violent.

The Classification study consultants also recommended transitioning more individuals who are classified as minimum or community custody into reentry programs is considered best practices in corrections. Traditionally, women have posed little to no risk in community settings and providing support and assistance during this transition is crucial to successful reintegration.

If we do the math, **52% of 175 women = 91 women**. 91 women at \$55/day = \$5,005/day; \$150,150/month; **\$1,801,800/year**. What could we do with that money? We could buy real services to help women transition from prison to the community and reunite with their loved ones to rebuild their lives, restore their families, and help revitalize their communities.

We CAN do this. We can bring our women home AND provide the services they need. Mahalo for this opportunity to testify in support of this great bill! We urge your favorable consideration.

Treat the women, save the children!



Maui Economic Opportunity, Inc.
B.E.S.T. Reintegration Program

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Fax: 808-249-2991
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COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS

Rep. Cindy Evans, Chair

Rep. Sharon E. Har, Vice Chair

Thursday, March 13, 2008

8:30am at Room 309

Re: SB 2082 SD2 - Relating to Public Safety (Return the Women Home)

Aloha Chair Evans, Vice Chair Har, and Members of the Committee:

My name is Ken E.K. Hunt and I am the Program Director of Maui Economic Opportunity's Being Empowered and Safe Together (BEST) Reintegration Program. Over the past five years, BEST has demonstrated that providing comprehensive training and support services to individuals during their incarceration and upon their release into the community is critical to successful reentry.

Typically, BEST clients are enrolled into our program six months to one year prior to release into the community. However, in a handful of cases, we have worked with individuals for more than a year prior to release, as well as individuals referred to us after they were released. A critical component of our reintegration efforts is family reunification and strengthening through training and hands-on activities. Based on our observations, clients are more successful in their transition from prison into the community the earlier we begin to work with them. Indeed, research on best practices dictates that reentry planning should begin on the day an individual enters prison or reports to community supervision following a sentence.

We believe that the Department of Public Safety working in partnership with community agencies like BEST can find viable options to return the women back home and closer to their communities and families while providing safe housing, treatment, counseling and support services to address factors that contributed to their criminal offenses. Women who have been transferred to prisons on the north American continent face tremendous challenges when returning home – because of the distance and disconnect with their 'ohana and children. The proposed measure would allow programs like BEST to work with each individual, build healthy sources of support with family, friends and sponsors, provide gender responsive services and use community resources to help. We are here to offer our support.

Mahalo for this opportunity to submit testimony on SB 2082 SD 2.

Sincerely,

Ken E.K. Hunt
BEST Program Director

cc: Sandy Baz, MEO Executive Director

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COMMITTEE ON PUBLIC SAFETY & MILITARY AFFAIRS

Rep. Cindy Evans, Chair

Rep. Sharon E. Har, Vice Chair

Thursday, March 13, 2008

8:30 a.m.

Conference Room 309

Hawaii State Capitol

SUPPORT - SB 2082, SD2

Relating to Public Safety

My name is Andy Botts, author of Nightmare In Bangkok. I strongly support any measure that will reduce costs to incarcerate inmates in out-of-state facilities. Bringing the women home is a sensible step in that direction, and only the first step. Considering the amount of women presently incarcerated on the mainland, the task is minimal, so it shouldn't be a burden on the Dept of Public Safety.

I strongly support this bill.

Aloha, Andy Botts

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